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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
SAINT VINCENTS CATHOLIC MEDICAL	:	Case No. 10-11963 (CGM)
CENTERS OF NEW YORK, <u>et al.</u> ,	:	
	:	
Debtors.	:	Jointly Administered
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HEARING AGENDA

Time and Date of Hearing: **September 16, 2010 at 11:00 a.m.** (Eastern Time)

Location of Hearing: Courtroom of the Honorable Cecelia G. Morris, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, Room 701, New York, New York 10004-1408.

Copies of Motions: A copy of each of the Motions may be viewed on the Court's website at www.ecf.nysb.uscourts.gov or (without charge) at the Debtors' Information Website: at <http://svcmcrestructuring.com>.

I. ADJOURNED MATTER

- The Committee of Interns and Residents Motion for Administrative Expenses** - Motion for the Allowance of Administrative Expenses Pursuant to 11 U.S.C. Sec. 503(b) and Directing Payment by the Debtor [Docket No. 668]

- Related Documents:**

- a) Notice of Presentment of Stipulation Extending Time to Purchase Optional Extended Reporting Period Endorsement [Docket No. 727]
- b) Notice of Presentment of Stipulation and Order to Extend Time in Which to Purchase Extended Reporting Period Coverage [Docket No. 728]
- c) Statement of Reservation of Rights with Regard to Stipulation Extending Time to Purchase Optional Reporting Period Endorsement [Docket No. 737]
- d) Statement of Reservation of Rights with Regard to Stipulation and Order Extending Time to Purchase Optional Reporting Period Coverage [Docket No. 738]
- e) Response of Medical Liability Mutual Insurance Company to Statement of Reservation of Rights With Regard to Stipulation and Order Extending Time to Purchase Optional Reporting Period Coverage [Docket No. 745]
- f) *Corrected* Statement of Reservation of Rights with Regard to Stipulation Extending Time to Purchase Optional Reporting Period Endorsement [Docket No. 746]
- g) *Corrected* Statement of Reservation of Rights with Regard to Stipulation and Order Extending Time to Purchase Optional Reporting Period Coverage [Docket No. 747]
- h) Stipulation and Order to Extend Time in Which to Purchase Extended Reporting Period Coverage (Queensbrook) [Docket No. 798]
- i) Stipulation Extending Time to Purchase Optional Extended Reporting Period Endorsement (MLMIC) [Docket No. 818]

- Objection Deadline: August 13, 2010 by 4:00 p.m.; Adjourned to September 8, 2010; Adjourned to October 12, 2010.
- Objections: None.

Status: The hearing on this matter has been adjourned to October 21, 2010.

II. UNCONTESTED MATTER

1. **MOTION EXTENDING EXCLUSIVE PERIODS** - Motion of the Debtors Pursuant to Section 1121(d) of the Bankruptcy Code to Extend

the Exclusive Periods for the Filing of a Chapter 11 Plan and Solicitation of Acceptance Thereof [Docket 709]

- Related Documents: None.
- Objection Deadline: August 25, 2010 by 4:00 p.m.
- Objections: None.

Status: The hearing on this matter is going forward.

III. MOTIONS TO LIFT THE AUTOMATIC STAY

1. **Maing Lift Stay Motion** - Motion for an Order, Pursuant to 11 U.S.C. § 362(d), Granting Relief From the Automatic Stay and Authorizing Tort Claimants to (I) Proceed With Pending State Court Litigation and Enter Judgment, and (II) Seek Payment of any Judgment or Settlement From any Applicable Policy Of Insurance Maintained By The Debtors, Or Any Other Source Other Than the Debtors' Estates [Docket No. 119]
- Related Documents:
 - a) Notice of Hearing on Motion for an Order, Pursuant to 11 U.S.C. Section 362(d), Granting Relief from the Automatic Stay and Authorizing Tort Claimants to (i) Proceed With Pending State Court Litigation and Enter Judgment, and (ii) Seek Payment of Any Judgment or Settlement From Any Applicable Policy of Insurance Maintained by the Debtors, or Any Other Source Other than the Debtors' Estates [Docket No. 120]
 - b) Notice of Change of Hearing Date [Docket No. 141]
 - c) Order Modifying the Automatic Stay as to Eun Sook Maing and Soo Maing (Individually and on Behalf of Their Infant) [Docket No. 395]
 - d) Order Vacating The Order Modifying The Automatic Stay as to Eun Sook Maing and Soo Maing (Individually and on Behalf of Their Infant) [Docket No. 412]
 - e) Stipulation and Order [Docket No. 413]
 - f) Stipulation and Order [Docket No. 472]
 - Objection Deadline: May 24, 2010 by 4:00 p.m.
 - Objections:

- a) Objection to Debtors' Motion for an Order, Pursuant to 11 U.S.C. §362(d) Granting Relief From the Automatic Stay filed by Certain Excess Carriers of Debtor Saint Vincents Catholic Medical Centers of New York, et al. [Docket No. 322]
- b) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]
- c) Response to Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay filed by The Committee of Interns and Residents/SEIU [Docket No. 369]

Status: The hearing on this matter has been adjourned to October 7, 2010.

- 2. **Hickman Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 213]

- Related Documents:

- a) None.

- Objection Deadline: May 24, 2010 by 4:00 p.m.

- Objections:

- b) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]

Status: The hearing on this matter has been adjourned to September 30, 2010.

- 3. **McCord Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 209]

- Related Documents:

- a) None.

- Objection Deadline: May 24, 2010 by 4:00 p.m.

- Objections:

- b) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]

Status: The hearing on this matter has been adjourned to September 30, 2010.

4. **Stewart Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 210]

- Related Documents:

- a) None.

- Objection Deadline: May 24, 2010 by 4:00 p.m.

- Objections:

- b) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]

Status: The hearing on this matter has been adjourned to September 30, 2010.

5. **White Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 211]

- Related Documents:

- a) None.

- Objection Deadline: May 24, 2010 by 4:00 p.m.

- Objections:

- b) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]

Status: The hearing on this matter has been adjourned to September 30, 2010.

6. **Warner Lift Stay Motion** - Motion for Entry of an Order Modifying the Automatic Stay to Permit Continuation of State Court Medical Malpractice Action [Docket No. 212]

- Related Documents:

- None.

- Objection Deadline: May 24, 2010 by 4:00 p.m.

- Objections:

- a) Omnibus Objection of Debtors to Motions for Orders Lifting Automatic Stay [Docket No. 350]

Status: The hearing on this matter has been adjourned to September 30, 2010.

7. **Montepiedra Lift Stay Motion** – Notice of Motion of Filomena Montepiedra as the Guardian of the Person and Property of Maria Georgina Rojas Montepiedra for Entry of an Order Granting Relief From the Automatic Stay to Pursue Completion of Personal Injury Litigation Against the Debtors [Docket 804]

- Related Documents: None.
- Objection Deadline: September 13, 2010 by 4:00 p.m.
- Objections: None.

Status: The hearing on this matter has been adjourned to September 30, 2010.

8. **Torres Lift Stay Motion** – Notice of Motion of Flora Torres and Mariano Torres for Entry of an Order Granting Relief From the Automatic Stay to Pursue Completion of Personal Injury Litigation Against the Debtors [Docket 805]

- Related Documents: None.
- Objection Deadline: September 13, 2010 by 4:00 p.m.
- Objections: None.

Status: This matter has been consensually resolved. A stipulation and order will be submitted.

9. **Larney Lift Stay Motion** – Notice of Motion of Darlene Larney, as Administratrix of the Estate of Daniel Larney, Deceased, and Darlene Larney, Individually, for Entry of an Order Granting Relief From the Automatic Stay to Pursue Completion of Personal Injury Litigation Against the Debtors [Docket 806]

- Related Documents: None.
- Objection Deadline: September 13, 2010 by 4:00 p.m.
- Objections: None.

Status: The hearing on this matter has been adjourned to September 30, 2010.

IV. CONTESTED MATTERS

1. **Sun Life Assurance Company's Motion for Adequate Protection** - Motion of Sun Life Assurance Company of Canada for Order (1) Granting Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 363(e) or, in the Alternative, (2) Modifying the Automatic Stay to Provide Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 362(d)(1) [Docket No. 675]
 - **Related Documents:**
 - a) Motion For Order Authorizing The Filing Under Seal Of The Motion Of Sun Life Assurance Company Of Canada For Order (1) Granting Adequate Protection To Sun Life Pursuant To Bankruptcy Code Section 363(e), Or, In The Alternative, (2) Modifying The Automatic Stay To Provide Adequate Protection To Sun Life Pursuant To Bankruptcy Code Section 362(d)(1) [Docket No. 677]
 - b) Notice of Filing of Unredacted Version of Motion of Sun Life Assurance Company of Canada For Order (1) Granting Adequate Protection To Sun Life Pursuant To Bankruptcy Code Section 363(e) or, In The Alternative, (2) Modifying The Automatic Stay To Provide Adequate Protection To Sun Life Pursuant To Bankruptcy Code Section 362(d)(1) [Docket No. 730]
 - **Objection Deadline:** August 12, 2010 by 4:00 p.m.
 - **Objections:**
 - c) Response Of Michael E. Katzenstein, In His Capacity As The MedMal Trust Monitor, To Motion Of Sun Life Assurance Company Of Canada For Order (1) Granting Adequate Protection To Sun Life Pursuant To Bankruptcy Code Section 363(e) Or, In The Alternative, (2) Modifying The Automatic Stay To Provide Adequate Protection To Sun Life Pursuant To Bankruptcy Code Section 362(d)(1) [Docket 708]
 - d) Debtors Objection to the Motion of Sun Life Assurance Company of Canada for Order (1) Granting Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 363(e) or, in the Alternative, (2) Modifying the

Automatic Stay to Provide Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 362(d)(1) [Docket 711]

- e) Debtors Response to the Motion of Sun Life Assurance Company of Canada for Order Authorizing the Filing Under Seal of the Motion for Order (1) Granting Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 363(e) or, in the Alternative, (2) Modifying the Automatic Stay to Provide Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 362(d)(1) [Docket 712]
- f) Joinder of the Official Committee of Unsecured Creditors of Saint Vincents Catholic Medical Centers, et al. to the Objection of the Debtors to Motion of Sun Life Assurance Company of Canada for Order (1) Granting Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 363(e) or, in the Alternative, (2) Modifying the Automatic Stay to Provide Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 363(d)(1) [Docket 715]
- g) Joinder (filed by GE Capital) to Debtors' Objection to Motion of Sun Life Assurance Company of Canada for Order (i) Granting Adequate Protection, or alternatively (ii) Modifying the Automatic Stay to Provide Adequate Protection to Sun Life [Docket 716]
- h) Reply in Further Support of the Motion of Sun Life Assurance Company of Canada for Order (1) Granting Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 363(e), or in the Alternative, (2) Modifying The Automatic Stay to Provide Adequate Protection to Sun Life Pursuant to Bankruptcy Code Section 362 (d)(1) [Docket 875]

Status: The subject of the escrowed rents is to be addressed. All other aspects of the Adequate Protection Motion have been adjourned to October 7, 2010.

2. **Sun Life Motion to File Supplemental Objection Under Seal** - Motion For Order Authorizing The Filing Under Seal Of The Supplemental Objection Of Sun Life Assurance Company Of Canada To Debtors Motion For (I) An Order (A) Approving The Sale Of Substantially All The Debtors Behavioral Health Assets Including The Operations Of St. Vincents Hospital Westchester To Saint Josephs Medical Center, And (B) Approving The Assumption And Assignment Of Certain Executory

Contracts And Unexpired Leases; (II) An Order (A) Approving Bidding Procedures For The Auction Of A Real Estate Option, And (B) Scheduling An Auction And Real Estate Option Sale Hearing; And (III) An Order Approving The Sale Of The Real Estate Option [Docket No. 840]

- Related Documents:

- a) Motion Of Sun Life Assurance Company Of Canada To Shorten Notice To Consider Motion For Entry Of An Order Authorizing The Filing Under Seal Of The Supplemental Objection Of Sun Life Assurance Company Of Canada To Debtors' Motion For (I) An Order (A) Approving The Sale Of Substantially All The Debtors' Behavioral Health Assets Including The Operations Of St. Vincents Hospital Westchester To Saint Joseph's Medical Center, And (B) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases; (II) An Order (A) Approving Bidding Procedures For The Auction Of A Real Estate Option, And (B) Scheduling An Auction And Real Estate Option Sale Hearing; And (III) An Order Approving The Sale Of The Real Estate Option [Docket No. 842]

- b) Order Shortening the Notice Period for Motion for Order Authorizing the Filing under Seal of the Supplemental Objection of Sun Life Assurance Company of Canada to Debtors Motion for (I) an Order (A) Approving the Sale of Substantially All the Debtors Behavioral Health Assets Including the Operations of St. Vincents Hospital Westchester to Saint Josephs Medical Center, and (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; (II) an Order (A) Approving Bidding Procedures for the Auction of a Real Estate Option and (B) Scheduling an Auction and Real Estate Option Sale Hearing; and (III) an Order Approving the Sale of the Real Estate Option [Docket No. 854]

- Objection Deadline: September 15, 2010 by 12:00 Noon.

- Objections: None.

Status: The hearing on this matter is going forward. A status conference on this matter is scheduled.

3. **Siemens Medical Solutions' Motion to Assume Leases or Executory Contracts** - Motion of Siemens Medical Solutions USA, Inc. for an

Order: (I) Compelling Assumption or Rejection of Its Executory Contract With the Debtor, (II) Directing the Debtor to Make all Post-Petition Payments Due or That Become Due Thereunder in the Amounts Provided for Under Such Contract, and (III) Acknowledging and Allowing the Administrative Expense Claim of Siemens Medical Solutions USA, Inc. and Directing the Prompt Payment by the Debtor of Such Administrative Expense Claim [Docket No. 592]

- Related Documents:

- a) Motion of Siemens Medical Solutions USA, Inc. for Entry of an Order Authorizing the Filing Under Seal of Its Pre-Petition Agreement With the Debtor [Docket No. 599]

- Objection Deadline: July 22, 2010 by 4:00 p.m.

- Objections:

- b) Debtors Objection to the Motion of Siemens Medical Solutions USA, Inc. for Entry of an Order Authorizing the Filing Under Seal of Its Pre-Petition Agreement With the Debtor [Docket No. 638]
 - c) Debtors Objection to the Motion of Siemens Medical Solutions USA, Inc. for an Order: (I) Compelling Assumption or Rejection of Its Executory Contract With the Debtor, (II) Directing the Debtor to Make All Postpetition Payments Due or That Become Due Thereunder in the Amounts Provided for Under Such Contract, and (III) Acknowledging and Allowing the Administrative Expense Claim of Siemens Medical Solutions USA, Inc. and Directing the Prompt Payment by the Debtor of Such Administrative Expense Claim [Docket No. 639]
 - d) Joinder of the Official Committee of Unsecured Creditors of Saint Vincents Catholic Medical Centers, *et al.* to the Objection of the Debtors to Motion by Siemens Medical Solutions USA, Inc. for an Order: (I) Compelling Assumption or Rejection of its Executory Contract with the Debtor, (II) Directing the Debtor to Make All Post-Petition Payments Due or That Become Due Thereunder in the Amounts Provided for Under Such Contract, and (III) Acknowledging and Allowing the Administrative Expense Claim of Siemens Medical Solutions USA, Inc. and Directing the Prompt Payment by the Debtor of Such Administrative Expense Claim [Docket No. 649]

- Reply:
 - e) Reply of Siemens Medical Solutions USA, Inc. to Debtors Objection to Motion of Siemens Medical Solutions USA, Inc. for an Order: (I) Compelling Assumption or Rejection of its Executory Contract With the Debtor, (II) Directing the Debtor to Make all Post-Petition Payments Due or That Become Due Thereunder in the Amounts Provided for Under Such Contract, and (III) Acknowledging and Allowing the Administrative Expense Claim of Siemens Medical Solutions USA, Inc. and Directing the Prompt Payment by the Debtor of Such Administrative Expense Claim [Docket No. 660]

Status: A status conference on this matter is scheduled.

V. ADVERSARY PROCEEDINGS

Michael E. Katzenstein, in his capacity as the MedMal Trust Monitor v. VIII SV5556 Lender, LLC

- Related Documents:
 - a) Defendant's Motion for Judgment on the Pleadings [Docket No. 7]
 - b) Joint Response and Cross-Motion of Michael E. Katzenstein, in His Capacity as the Medmal Trust Monitor, and the Official Committee of Unsecured Creditors to Defendant's Motion For Judgment On The Pleadings [Docket No. 12]
 - c) Defendants Reply Memorandum Of Law In Support Of Its Motion For Judgment On The Pleadings And Opposition To Plaintiffs Cross-Motion For Judgment On The Pleadings [Docket No. 16]

Status: Pre-Trial Conference.

Pursuant to the Order Establishing Case Management Procedures, any party that wants to monitor the hearing telephonically, is required to notify the undersigned counsel for the Debtors in writing regarding such request at least three (3) business days prior to the applicable hearing date.

Dated: New York, New York
September 14, 2010

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